

# United States District Court

NORTHERN DISTRICT OF CALIFORNIA

E-filing

NATIVE VILLAGE OF KIVALINA, and CITY OF  
KIVALINA,

## SUMMONS IN A CIVIL CASE

CASE NUMBER:

v.

EXXONMOBIL CORPORATION; BP P.L.C.; BP  
AMERICA, INC.; BP PRODUCTS NORTH  
AMERICA, INC.; (see attached)

CV 08

1138

TO: (Name and address of defendant)

*See Attachment*

SBA

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Luke W. Cole  
CENTER ON RACE, POVERTY & THE ENVIRONMENT  
47 Kearny Street, Suite 804  
San Francisco, CA 94108

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wiering

CLERK

*Helen L. Almazan*

(BY) DEPUTY CLERK

DATE FEB 26 2008

**RETURN OF SERVICE**

DATE

Service of the Summons and Complaint was made by me <sup>1</sup>

Name of SERVER

TITLE

*Check one box below to indicate appropriate method of service*

Served Personally upon the Defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_

Date \_\_\_\_\_

Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

**SUMMONS  
ATTACHMENT**

**I.(a) DEFENDANTS**, continued: CHEVRON CORPORATION; CHEVRON U.S.A., INC.; CONOCOPHILLIPS COMPANY; ROYAL DUTCH SHELL PLC; SHELL OIL COMPANY; PEABODY ENERGY CORPORATION; THE AES CORPORATION; AMERICAN ELECTRIC POWER COMPANY, INC.; AMERICAN ELECTRIC POWER SERVICES CORPORATION; DTE ENERGY COMPANY; DUKE ENERGY CORPORATION; DYNEGY HOLDINGS, INC.; EDISON INTERNATIONAL; MIDAMERICAN ENERGY HOLDINGS COMPANY; MIRANT CORPORATION; NRG ENERGY; PINNACLE WEST CAPITAL CORPORATION; RELIANT ENERGY, INC.; THE SOUTHERN COMPANY; and XCEL ENERGY, INC.

Attorney Or Party Without Attorney (Name and Address)		Telephone:	FOR COURT USE ONLY	
REED A. KATHREIN, ESQ. (133034) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Ave., Suite 202 Berkeley, California 94710		(510) 725-3034		
Attorneys for: <b>PLAINTIFFS</b>		Ref. No. Or File No.		
		W2492684		
Insert name of court, judicial district and branch court, if any: <b>UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA</b>				
Plaintiff: <b>NATIVE VILLAGE OF KIVALINA, et al.</b>				
Defendant: <b>EXXONMOBIL CORPORATION, et al.</b>				
<b>PROOF OF SERVICE</b>	Date:	Time:	Dept/Div:	Case Number: <b>C08-1138 SBA</b>

I, Karl M. Neher, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant : XCEL ENERGY, INC.  
By Serving : MELISSA DUNLAP, Registered Agent/Authorized to Accept Service of Process.  
Address : 380 Jackson str # 700 , ST Paul, MN 55101  
Date & Time : Tuesday, March 4, 2008 @ 10:38 a.m.  
Witness fees were : Not applicable.

Person serving:

Karl M. Neher  
Wheels of Justice, Inc.  
657 Mission Street, Suite 502  
San Francisco, California 94105  
Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server  
(1) Employee or independent contractor  
(2) Registration No.:  
(3) County:  
(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signature: Karl M. Neher  
Karl M. Neher



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REED A. KATHREIN, ESQ. (133034)  
 HAGENS BERMAN SOBOL SHAPIRO LLP  
 715 Hearst Ave., Suite 202  
 Berkeley, California 94710

Attorneys for: PLAINTIFFS

Ref. No. Or File No.

W2492696

Insert name of court, judicial district and branch court, if any:

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Plaintiff:

NATIVE VILLAGE OF KIVALINA, et al.

Defendant:

EXXONMOBIL CORPORATION, et al.

<b>PROOF OF SERVICE</b>	Date:	Time:	Dept/Div:	Case Number:
				C08-1138 SBA

I, Emilio Herrera, Jr. , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant : EXXONMOBIL CORPORATION

By Serving : N.H. Jenkins, Corporate Secretary

Address : 5959 Las Colinas Blvd. , Irving, TX 75039

Date & Time : Wednesday, March 5, 2008 @ 12:55 p.m.

Witness fees were : Not applicable.

Person serving:

Emilio Herrera, Jr.

Wheels of Justice, Inc.

657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

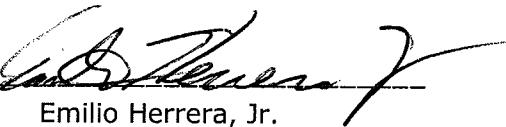
(2) Registration No.:

(3) County:

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signature:   
 Emilio Herrera, Jr.

Emilio Herrera, Jr.  
 Supreme Court No. SC000000610



Attorney Or Party Without Attorney (Name and Address)		Telephone:	FOR COURT USE ONLY	
REED A. KATHREIN, ESQ. (133034) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Ave., Suite 202 Berkeley, California 94710		(510) 725-3034		
Attorneys for: PLAINTIFFS		Ref. No. Or File No.		
		W2492699		
Insert name of court, judicial district and branch court, if any: <b>UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA</b>				
Plaintiff: <b>NATIVE VILLAGE OF KIVALINA, et al.</b>				
Defendant: <b>EXXONMOBIL CORPORATION, et al.</b>				
<b>PROOF OF SERVICE</b>	Date:	Time:	Dept/Div:	Case Number: <b>C08-1138 SBA</b>

I, C. J. Ott, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant : DTE ENERGY COMPANY  
 By Serving : ANDREA CAMPAN, Legal Secretary/Authorized to Accept Service of Process.  
 Address : 2000 2nd Ave # 2057 , Detroit, MI 48226  
 Date & Time : Thursday, March 6, 2008 @ 12:35 p.m.  
 Witness fees were : Not applicable.

Person serving:

C. J. Ott  
 Wheels of Justice, Inc.  
 657 Mission Street, Suite 502  
 San Francisco, California 94105  
 Phone: (415) 546-6000

a. Fee for service:  
 d. Registered California Process Server  
 (1) Employee or independent contractor  
 (2) Registration No.:  
 (3) County:  
 (4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 10, 2008

Signature:   
 C.J. Ott



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